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NGUYEN, CINDY				
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Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary

Application No.

10/009,499

Applicant(s)

PEDERSEN, CLAU S

Examiner

CINDY NGUYEN

Art Unit

2161

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 09 June 2009.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 24-30, 32-35 and 47-59 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 24-30, 32-35, 47-59 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO/S508)
Paper No(s)/Mail Date _____
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date _____
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: _____

DETAILED ACTION

This is response to amendment filed 06/09/09.

Response to Arguments

Applicant's arguments have been considered but are moot in view of the new ground(s) of rejection.

Specification

The specification is objected to as failing to provide proper antecedent basis for the claimed subject matter. See 37 CFR 1.75(d)(1) and MPEP § 608.01(o). Correction of the following is required:

Claims 55 and 58 recite the limitation "a computer-readable medium". There is insufficient antecedent basis for this limitation in the claim.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 24-30, 32-35, 47-59 are rejected under 35 U.S.C. 103(a) as being unpatentable over Lincke et al. (US 20020109706, hereafter Lincke) in view of Applicant's admitted prior art.

Regarding claims 47 and 51, Lincke discloses: A method and a server, comprising:
a processor unit (see paragraph 0077, line 2); and
a memory unit operatively connected to the processor unit and including (see paragraph 0077, lines 2-3):

receiving data packets, within the data packets, receiving a request (i.e., the user is filling out a form 105 as part of the wireless application 106...to initiate the wireless CTP (compressed transport protocol)... see paragraph 0141), the request comprising information of at least one access point indicating a location of the server to be accessed (i.e., 410, paragraph 0161) and an instruction to the server to send a copy of a first content from a location in the server together with a copy of link content simultaneously, wherein the first content of at least one access point is identified by an identifier and the first content is associated with the link content (i.e., the home page has been configured/instructed by the user (at the wireless communication device) with a set of service icons (data packet) such as weather info, traffic info... and sends by the browser a request to fetch the airline information...paragraphs 0123, lines 5+; and in response to the request, the proxy server 180 will parse/configured the parameter information the URL and send them to an executable program on the web server 140... and fetching a web document that uses CGI scripts/instruction, see paragraph 0133; 0161, 0162, 0194, lines 7+; and the new content will be returned to the wireless client and hyperlinks...see 0384, lines 1-9; 0393) provided at different locations in at least one of the server and another server (i.e., when the hyperlink is an external link...hyperlink requiring communication over a wireless connection..., see paragraph 0530, lines 4+); and

Lincke didn't disclose that the data packets according to the Wireless application protocol. However, Applicant's Admitted prior art teaches the Wireless Application Protocol (see page 1-3, Admitted prior art). Thus, at the time invention was made, it would have been obvious to a person of ordinary skill in the art to replace the wireless application request queries include the wireless CTP with WAP in the system of Lincke as taught by Applicant's Admitted prior art. The motivation being to provide the client with a fast response from the server and enables the handheld device users to access the mobile content.

effectuating a process of simultaneously fetching the copy of the first content and the link content from the server (i.e., fetch and display a web page on the wireless communication device with a one packet request sent to the proxy server 180 and a one packet response is returned to the wireless communication device, paragraph 0104, lines 6+; and packet/web page have lots (combination or simultaneously as a packet) of formatting information, hyperlink/link content, see paragraphs 0194, lines 7+; 0383, lines 1-9; 0386, lines 16+).

Regarding claims 24 and 58, Lincke discloses: A cellular communication terminal (see paragraph 0012, lines 5) and a computer program product, embodied on a computer-readable medium for fetching content from at least one server, comprising:

a receiver and a transmitter with configured to receive and transmit data packets (i.e. the wireless network access point 410 receives WLNPs (Wireless network protocol packet) , then stripped off the packets by the tunneler 430 for the wireless network and

...reconstructed/configured and the packets are then forwarded/transmitted to the proxy server 180...see paragraphs 0161, 0157) from at least one server (Web server 140, fig. 1 and corresponding text) through a gateway or proxy server (180, fig. 1) which transmits the data packets between the terminal (Wireless communications Device 100, fig. 1) and at least one server (Web server 140, fig. 1 and corresponding text);

a first memory (see paragraph 0077, line 3) comprising an identifier (URL) and at least one item (web page, see paragraph 0133), the at least one item having an access point (access point 410, paragraph 0161) which indicates a location (IP address) of the at least one server to be accessed (web server 140), wherein the at least one server is accessed by sending the identifier to the gateway or proxy server to identify a first content to be accessible at the at least one server (see paragraphs 0157; 0161; 0383, lines 7+) and wherein the first content is associated with link content provided at different locations in the at least one server or in another server (i.e., when the hyperlink is an external link. hyperlink requiring communication over a wireless connection..., see paragraph 0530, lines 4+; 0118);

processor (see paragraph 0077, line 2) configured to read an item from the first memory and to establish a session to the gateway or proxy server (i.e., browser 104 and the proxy server 180...see paragraph 0113,), and to fetch a copy of the first content from the at least one server (see paragraph 0104, 2+), at the location indicated by the access point (access point 410, see paragraph 0161), to be stored in the first memory or in a second memory, wherein the second memory is arranged to store temporarily or permanently the copy of the first content (see paragraph 0124, lines 4+ , Lincke);

a user interface connected to the processor (i.e., CGI Common Gateway interface), the user interface including a display configured to display the copy of the first content received from the at least one server and a user input, configured to control the processor (i.e., CGI executable and output dynamically generated HTML and displayed from the browser...fetching a web document that uses CGI scripts... see paragraphs 0133; 0141, lines 3+; 0194, lines 6+);

wherein the receiver and transmitter are configured to fetch a copy of the first content and a copy of the link content simultaneously upon a request generated by the processor (i.e. Wireless compressed transport protocol (CTP) formatted the query from the wireless communications device 100... see paragraph 0110), the transmitter configured to send the request as a data packet, comprising an instruction to the at least one server to send the copy of the first content from a given location (i.e., transmit messages to and receive messages from the Wireless Network Access point 410, fig. 5 and paragraph 0157, 0158) in the at least one server, indicated by the access point, together with a copy of the link content, simultaneously (i.e., the home page has been configured/instructed by the user (at the wireless communication device) with a set of service icons (data packet) such as weather info, traffic info... and sends by the browser a request to fetch the airline information...paragraphs 0123, lines 5+; and in response to the request, the proxy server 180 will parse/configured the parameter information the URL and send them to an executable program on the web server 140... and fetching a web document that uses CGI scripts/instruction, see paragraph 0133; 0161, 0162, 0194, lines 7+; and the new content will be returned to the wireless client to follow/simultaneously/combine subsequent hot links...see 0384, lines 1-9; 0393; and,

when the hyperlink is an external link/different location...hyperlink requiring communication over a wireless connection..., see paragraph 0530, lines 4+).

Lincke didn't disclose that the data packets according to the Wireless application protocol. However, Applicant's Admitted prior art teaches the Wireless Application Protocol (see page 1-3, Admitted prior art). Thus, at the time invention was made, it would have been obvious to a person of ordinary skill in the art to replace the wireless application request queries include the wireless network protocol with WAP in the system of Lincke as taught by Applicant's Admitted prior art. The motivation being to provide the client with a fast response from the server and enables the handheld device users to access the mobile content.

Wherein the terminal is a cellular phone (see paragraph 0012, lines 5-6, Lincke).

Regarding claims 25 and 59, all the limitation of these claims have been note in rejection of claims 24 and 58 above, respectively. In addition, Lincke discloses: wherein the first content and the link content is provided in the same server (i.e., when the hyperlink is an internal link, see paragraph 0530, lines 4+).

Regarding claim 26, all the limitation of this claim have been note in rejection of claim 24 above. In addition, Lincke discloses: wherein a pull means is provided with a selecting means, in order to choose which content is to be fetched (see paragraph 0123, lines 9+).

Regarding claim 27, all the limitation of this claim have been note in rejection of claim 24 above. In addition, Lincke discloses: wherein the second memory is an external memory,

provided with a connection to the terminal (i.e., when the hyperlink is an external link. hyperlink requiring communication over a wireless connection..., see paragraph 0530, lines 4+).

Regarding claim 28, all the limitation of this claim have been note in rejection of claim 24 above. In addition, Lincke discloses: wherein the second memory is in the terminal (see paragraph 0124, lines 3-4).

Regarding claim 29, all the limitation of this claim have been note in rejection of claim 24 above. In addition, Lincke discloses: wherein the second memory is a cache memory (see paragraph 0121, lines 3-4).

Regarding claim 30, all the limitation of this claim have been note in rejection of claim 24 above. In addition, Lincke discloses: wherein the first memory is a SIM card (i.e., an external transceiver device... see paragraph 0797).

Regarding claim 32, Lincke discloses: a method comprising: reading an item in the first memory and an identifier (see paragraph 0077, line 3) comprising an identifier (URL) and at least one item (web page, see paragraph 0133), the item comprising at least one access point indicating the location (access point 410, paragraph 0161) of a server to be accessed (web server 140) (i.e., retrieving/reading the web page form the web server 140, see paragraphs 0140, lines 3+; 0143, lines 12+),

generating a request (i.e., the user is filling out a form 105 as part of the wireless application 106...to initiate the wireless CTP (compressed transport protocol)... see paragraph 0141) , the request comprising information of the at least one access point (access point 410,

see paragraph 0157), and the identifier identifying a first content of the at least one access point (i.e., determines which document to fetch by looking up the link information ... see paragraph 0383, lines 7+; 0384), the first content being associated with link content (0384, lines 3+) provided at different locations in the server or in another server (i.e., an external hyperlink/different location requiring communication over a wire or wireless connection, see paragraph 0530).

Lincke didn't disclose that the data packets according to the Wireless application protocol. However, Applicant's Admitted prior art teaches the Wireless Application Protocol (see page 1-3, Admitted prior art). Thus, at the time invention was made, it would have been obvious to a person of ordinary skill in the art to replace the wireless application request queries include the wireless CTP with WAP in the system of Lincke as taught by Applicant's Admitted prior art. The motivation being to provide the client with a fast response from the server and enables the handheld device users to access the mobile content.

initiating a session to a gateway or proxy server, by transmitting the request from the cellular communication terminal to the gateway or proxy server (i.e., browser 104 and the proxy server 180...see paragraph 0113), the gateway or proxy server sending data packets between the terminal and the server (i.e., the proxy server send the requests to an executable program on the web server 140 ... and returned to the browser/terminal ...see paragraphs 0133, lines 7+; 0141);

establishing a session between the terminal and the gateway or proxy server (i.e., browser 104 and the proxy server 180...see paragraph 0113; 0789, lines),

wherein the request and has an instruction to the server to send a copy of the first content from a given location in the server, indicated by the access point, together with a copy of the link content, simultaneously (i.e., the home page has been configured/instructed by the user (at the wireless communication device) with a set of service icons (data packet) such as weather info, traffic info... and sends by the browser a request to fetch the airline information...paragraphs 0123, lines 5+; and in response to the request, the proxy server 180 will parse/configured the parameter information the URL and send them to an executable program on the web server 140... and fetching a web document that uses CGI scripts/instruction, see paragraph 0133; 0161, 0162, 0194, lines 7+; and the new content will be returned to the wireless client to follow subsequent hot links...see 0384, lines 1-9; 0393);

fetching a copy of the first content and a copy of the link content simultaneously effectuating a process of simultaneously fetching the copy of the first content and the link content from the server (i.e., fetch and display a web page on the wireless communication device with a one packet request sent to the proxy server 180 and a one packet response is returned to the wireless communication device, paragraph 0104, lines 6+; and packet/web page have lots (combination or simultaneously as a packet) of formatting information, hyperlink/link content, see paragraphs 0194, lines 7+; 0383, lines 1-9; 0386, lines 16+).

Regarding claim 33, all the limitation of this claim have been note in rejection of claim 32 above. In addition, Lincke discloses: wherein the copy of the first content and the link content is stored in a second memory (see paragraphs 0096, lines 1-6).

Regarding claim 34, all the limitation of this claim have been note in rejection of claim 32 above. In addition, Lincke discloses: wherein the copy of the first content and the link content are from the same server (i.e., when the hyperlink is an internal link, see paragraph 0530, lines 4+).

Regarding claim 35, all the limitation of this claim have been note in rejection of claim 34 above. In addition, Lincke discloses: comprising fetching a copy of the link content from a further server (i.e., when the hyperlink is an external link. hyperlink requiring communication over a wireless connection..., see paragraph 0530, lines 4+).

Regarding claim 48, all the limitation of this claim have been note in rejection of claim 47 above. In addition, Lincke discloses: wherein the copy of the first content and the link content are from the same server (i.e., when the hyperlink is an internal link, see paragraph 0530, lines 4+).

Regarding claim 49, all the limitation of this claim have been note in rejection of claim 47 above. In addition, Lincke discloses: wherein the copy of the first content and the link

content is stored in a memory of a cellular communication terminal (see paragraph 0124, lines 3-4).

Regarding claim 50, Lincke discloses: A computer program product, embodied on a computer-readable medium comprising computer code configured to perform the processes of claim 47 (see paragraph 0058, lines 1-10; 0012, lines 5+).

Regarding claim 52, all the limitation of this claim have been note in rejection of claim 51 above. In addition, Lincke discloses: wherein the copy of the first content and the link content are from the same server (i.e., when the hyperlink is an internal link, see paragraph 0530, lines 4+).

Regarding claims 53 and 56, Lincke discloses: A method and a server of fetching content from a server, comprising:

- a processor unit (see paragraph 0077, line 2); and

- a memory unit operatively connected to the processor unit and including (see paragraph 0077, lines 2-3):

- transceiving data packets from at least one server during an established session according to the Wireless CTP(see paragraph 0141, lines 3+; 0157).

Lincke didn't discloses that the data packets according to the Wireless application protocol. However, Applicant's Admitted prior art teaches the Wireless

Application Protocol (see page 1-3, Admitted prior art). Thus, at the time invention was made, it would have been obvious to a person of ordinary skill in the art to replace the wireless application request queries include the wireless CTP with WAP in the system of Lincke as taught by Applicant's Admitted prior art. The motivation being to provide the client with a fast response from the server and enables the handheld device users to access the mobile content.

Lincke teaches: effectuating access to the server by receiving an access point indicating a location of the server to be accessed and an identifier identifying a first content to be accessed (see paragraphs 0161, 0166, 0383, lines 7+), wherein the first content is associated with link content provided at different locations in one of the server and another server (i.e., when the hyperlink is an external link...hyperlink requiring communication over a wireless connection..., see paragraph 0530, lines 4+; 0118) and

participating in a fetching process comprising fetching a copy of the first content from the server at the location indicated by the access point and fetching a copy of the link content simultaneously in response to a request sent as a data packet included within the transceiver data packets, the request including an instruction to the server to send the copy of the first content from a given location in the server indicated by the access point together with the copy of the link content, simultaneously (i.e., the home page has been configured/instructed by the user (at the wireless communication device) with a set of service icons (data packet) such as weather info, traffic info... and sends by the browser a request to fetch the airline information...paragraphs 0123, lines 5+; and in response to the request, the proxy server 180 will parse/configured the

parameter information the URL and send them to an executable program on the web server 140... and fetching a web document that uses CGI scripts/instruction, see paragraph 0133; 0161, 0162, 0194, lines 7+; and the new content will be returned to the wireless client with/simultaneously/combine hyperlinks...see 0384, lines 1-9; 0393; and, when the hyperlink is an external link/different location...hyperlink requiring communication over a wireless connection..., see paragraph 0530, lines 4+).

Regarding claims 54 and 57, all the limitation of these claims have been note in rejection of claims 53 and 56 above, respectively. In addition, Lincke discloses: wherein the first content and the link content is provided in the same server (i.e., when the hyperlink is an internal link, see paragraph 0530, lines 4+).

Regarding claim 55, Lincke discloses: A computer program product, embodied on a computer-readable medium comprising computer code configured to perform the processes of claim 53 (see paragraph 0058, lines 1-10; 0012, lines 5+).

Conclusion

Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

Contact Information

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Cindy Nguyen whose telephone number is 571-272-4025. The examiner can normally be reached on 8:30-5:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Apu Mofiz can be reached on 571-272-4080. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/C. N./
Examiner, Art Unit 2161

/A.OB./
Primary Examiner, Art Unit 2160